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Spier's

Sermons.

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Opinions of the Press

ON THE

REV. B. SPIERS'S

"SCHOOL SYSTEM OF THE TALMUD."

We are glad to observe that the Rev. B. Spiers, the Dayan, has republished in book form his address on "The School System of the Talmud." . . . The pages of this learned little volume are filled with maxims which testify to the high estimation in which learning and education were held by the Tamaim and Amoraim These examples will serve to whet the reader's appetite for Mr. Spiers's book, which is full of such beauties culled from the Talmud.—"*The Jewish Chronicle*," 17th March, 1882.

The interesting sketch which the Rev. B. Spiers has just published is of special interest at the present moment when Judaism all over the world may be said to be upon its trial . . . It is the work of a scholar conceived in the dispassionate spirit and characterised by the calm and serenity of the study. The authenticity of the vast array of facts which are adduced is guaranteed by the well known erudition of their compiler, and they have only to be carefully digested by the reader in order to suggest thoughts which cannot but exalt the estimate in which Jews and their faith are generally held Mr. Spiers traces with considerable minuteness the whole School System imposed by the Talmud upon Jews, and at the same time, in his opening chapter, shows, by means of copious quotations, how much more important than any other consideration education was held by the Rabbins "*The Jewish World*," March 22nd, 1882.

We have just read a curious and interesting work, a veritable transference of a part of the mind of the past into the present. It is the production we should think of one who either has a lively and full memory or a well stored note book to dig from as a quarry We recommend the book to all who wish to gain some understanding of the Jews of our day, and of the position he occupies in the world.—"*The Unitarian Herald*," April 7th, 1882.

"The School System of the Talmud" is a very interesting account of the system of education which prevailed among the Jews in the time of the Talmud. Though but a brief sketch, it is clear and precise, and leaves on the reader's mind a very distinct idea of the character required of the instructors of youth, of the relations that exist between the teacher and the pupil, the methods and the subjects of instruction, and even of such details of school management as the age of admission, the advancement of one grade to another, and corporal punishment. The account seems to justify the author's statement that the subject of education occupied since the earliest times a high place in Jewish national life, and in some measure supports his view that the correct principles of education were enunciated among the Jews by Rabbi Joshua ben Gamla eighteen hundred years ago "*The Leeds Mercury*," April 12th, 1882.

Out of that wonderful repertory of Jewish legal and traditional lore the Talmud, the Rev. B. Spiers, a well known Hebrew scholar, has in the compass of a single thin volume, not larger than a pamphlet gathered together the evidences of, and reconstructed for us, the educational system in use among his people before they were expatriated from their own land and dispersed among the nations And so we might go on by the column almost, illustrating this old world system of education from the rich store of materials contained in the little book before us. But we must leave the reader some pleasure to come in the perusal of the volume itself. It is our function to whet the appetite—not to satisfy it.—"*The Liverpool Mercury*," April 17th, 1882.

This essay, which originally appeared in the "Jewish Chronicle," has been reprinted separately, and we venture to think that the republication will be acceptable to all interested in educational effort The Rev. B. Spiers, to whom we are indebted for the very lucid exposition of the Jewish school system here epitomised is Dayan and Librarian to the Beth Hamidrash. The exposition though specially interesting to the Children of Israel, cannot fail to furnish much that is suggestive to English educationalists.—"*Newcastle Daily Chronicle*," April 8th, 1882.

They who are interested in education—and who is not—will be glad to have their attention directed to a pamphlet in cloth on "The School System of the Talmud," by the Rev. B. Spiers. In few things have the Jews, especially those of former days, been more successful than in the work of the education of the young, and the rules and maxims which have been collected

from the Talmud by the writer, a learned Rabbi, give to these chapters an enduring value.—“*John Bull*,” May 13th, 1882.

“The School System of the Talmud,” by the Rev. B. Spiers is an essay which is an interesting summary of the whole educational question as it appeared to the Rabbis, when the very preservation of Hebrew nationality seemed to depend on careful instruction of the young, and when, accordingly, far more pains were taken for that end than in any Christian country. Indeed, it is scarcely going too far to say that, even now, those amongst us who are practically interested in education might gather some useful hints from the ancient Rabbis, whose shrewd and keen intellects struck our methods which we are apt to regard as the last word of the nineteenth century, and have hardly reduced into practice up to the present.—“*The Church Times*,” May 19th, 1882.

The Rev. B. Spiers, occupying an important position amongst the Jews in this country, has reprinted from the “*Jewish Chronicle*” an important essay on “The School System of the Talmud” We have indicated the nature of this interesting essay, and for further information concerning the ancient school system of the Jewish people, we must refer our readers to the essay itself. It may help to modify some proud feelings which now and then creep into most of our minds, when we compare the present with the past.—“*The Literary World*,” June 2nd, 1882.

Mr. Spiers has brought together from various Talmudic sources and from the Midrashim a number of Rabbinical sayings upon the subject of education The book will interest teachers on account of the shrewdness and good sense, obviously the point of experience, which characterise many of its maxims Mr. Spiers is perhaps a little too anxious to prove that the ancient sages of his race forestalled all the latest ideas of modern educational reformers ; but he certainly has ground for his concluding assertion that “the school boards now established throughout this country are only the practical recognition of the correct principles of education, both universal and compulsory, which were enunciated among ourselves by Rabbi Joshua ben Gamla eighteen centuries ago.”—“*The Academy*,” July 22nd, 1882.

The work is well written, and will be found very interesting to others than those of the Hebrew persuasion.—“*The Wolverhampton Evening Express*,” July 25th, 1882.

The high character of the ethical teaching of the Talmud is well known, but not much has been said or heard hitherto of its specific doctrines on the subject of the education of the young. That is the subject with which Mr. Spiers has undertaken to deal in the excellent little treatise under notice, and he has dealt with it in a very interesting and practical way . . . The work is not so much an exposition of a school system as an exhibition of the leading ideas by which the educational system of the Rabbins was regulated . . . Obviously there are words of wisdom and wholesale practical lessons in Mr. Spier's abstract of the teachings of the Talmud on education, which modern schoolmasters and modern parents would do well to lay to heart.—“*The Scotsman*,” October 11th, 1882.

We have long been accustomed to hear that many of our most recent sanitary arrangements and precautions were anticipated by Moses, but we now have to learn that not a few of our most advanced ideas in education have been both held and practised by the Jews from a time that carries us far back towards the beginning of the Christian era, to say nothing of the germs of those ideas in the Sacred Scriptures. A little volume recently published by the Rev. B. Spiers should be read by all who are practically or theoretically interested in teaching.—“*The Bedfordshire Times and Independent*,” November 11th, 1882.

“The School System of the Talmud,” by the Rev. B. Spiers (Trübner & Co., Ludgate-hill), is a little volume containing a collection of articles originally published in the “*Jewish Chronicle*,” and now reprinted in a handy and useful form. Its interest is deepest for Hebrew readers, though, as the Sons of Israel may be called the earliest educators of the human race, it is well worth the attention of everyone who is concerned in the well-being of the rising generation.—“*Lady's Pictorial*,” February 3rd, 1883.

“School System of the Talmud.”—This is the title of a work (Trübner & Co.), by the Rev. B. Spiers, Dayan Librarian to the Beth Hamidrash. The writer dwells at length upon the necessity for great care to be taken in the education of the poorer children, because they often devote themselves with greater energy and study. The progress of a people, the author says, must largely depend upon the spiritual and intellectual training of its youth. The work is well written, and will be found very interesting to others than those of the Hebrew persuasion.—“*The Evening Express*,” July 25th, 1882.

A charming little book entitled "The School System of the Talmud" has been sent to me by Rev. B. Spiers, to which I should like to call the attention of teachers. It is short and pleasantly written; and it introduces the reader to such a quaint old world that it might be taken up for refreshment, like an amusing book of travels. Yet every page is full of instruction. The key-note of the book is its concluding sentence, in which it is stated that the principles of compulsory education were recognised by the Jews eighteen centuries ago: "principles that kept alight the lamp of knowledge in Israel's darkest days; and which have aided their national development and formed the very ground-work of their national life." This sentence alone suggests many reflections, the truth of which is illustrated by the facts told in the body of the work.—"*The Journal of Education*," April 1st, 1885.

The same Journal, September 1st, 1885.—Desire for secular knowledge is an essential feature in Jewish religion, as Mr. Spiers's book makes abundantly evident The extracts from the Talmud quoted by Mr. Spiers give the reader a glimpse as into a soft, easy nest, skilfully prepared for the young brain to develop.



דברי חפץ

ACCEPTABLE WORDS.

ADDRESSES.

DELIVERED BY THE

REV. B. SPIERS,

DAYAN,

Author of "The School System of the Talmud."

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III.

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THE JURISPRUDENCE OF THE TALMUDICAL TREATISE "BABA BATHRA."

MY FRIENDS,

I need hardly say that it is a source of much gratification to me that we have concluded another section of the Talmud, and I may now confidently look forward to a regular continuance of these meetings at the Beth Hamedrash for the study of our splendid literature.

There is a well known saying of the wise preacher, which forcibly recurs to my mind just now, and which may appropriately be applied to this occasion, namely, והחוט המשולש לא במהרה ינתק "A threefold cord is not quickly broken."¹

¹ Eccles. iv., 12.

I am therefore encouraged to hope that this being the third time that we have concluded a section of the Talmud, the study of it will henceforth become more general, and that these classes will be marked by a larger and more regular attendance than has hitherto been the case.

It will no doubt still be in your recollection that when we finished treatise Baba Metzia I gave a short resumé of its contents, and I have thought that on this occasion it would perhaps be not less important and instructive to sketch in outline and as briefly as possible the book we have just finished, which is to some extent a continuance of Baba Metzia, and, like it, treats of Jurisprudence and Civil Law.

Baba Bathra is divided into ten chapters. The first chapter commences with the law relating to the division of an enclosure חצר

which is in the common possession and use of two individuals who occupy separate houses within it. If the enclosure be divided by means of a partition wall, this wall should be made of such a height as to prevent either of the parties from being able to overlook the courtyard or house of the other. Otherwise owing to the proximity of their dwellings the two families would become unduly acquainted with one another's proceedings, and this might ultimately lead to unpleasant and injurious results. But a partition wall of this character could only be raised when both parties were mutually desirous of its erection, for if the alteration were carried out in opposition to the wishes of one of them, and the enclosure (exclusively of the four cubits in front of each house) contained less space than eight cubits, then after the division, neither would have four cubits at

his disposal, and this space would be too small to allow for necessary requirements. In this case, then, the one neighbour could not compel the other to consent to the erection of the wall. The same law would apply to a field, garden, or similar property which must be of a certain size before division could be enforced.

Incidentally the Talmud prohibits the demolition of an old Synagogue before the completion of the new one. The ground for this stringency is obvious. The building of the new Synagogue might be for some reason delayed or neglected, and the community would thus be left without a place for public worship, and public worship being considered by the Rabbis of the highest national and religious importance, they would not allow the community to be without it, even for a short time.

Amidst other matters our teachers counsel every Israelite to be loyal to his country and government, no matter how harsh and tyrannical such government may be.

The Talmud then reverts to the original subject, and enacts that if one of the two neighbours desires to build the partition wall on his own account he should put a certain mark upon it, which would prove that it belonged to him alone, and thus prevent any dispute arising at a future time.

This precaution would take it out of the power of the other householder to assert that a wall was erected by both, and that the expenses—as is usually done in such cases—were equally shared. Either can insist upon the other joining in building a door to the enclosure, and also a lodge or a small house at the gate.

The inhabitants of a town may be com-

pelled to contribute towards the building of a wall around the town, and to provide it with proper gates and defences ; or to any outlay which may conduce to the improvement and advantage of the place.

A period of twelve months is fixed with regard to new comers into a town, at the expiration of which time they are bound to contribute towards the support of the various institutions existing therein.

But if the new arrivals become landowners, the incidence upon them of all the burdens of the community is immediate.

If two persons possess in common a Bible in one volume, or any other articles that cannot well be divided, either owner can compel the other to retain the Holy Book or other articles, or to allow him to become the sole owner after receiving or paying the value of the co-holder's share.

Leaving the main subject, the Talmud proceeds to set forth the authoritative arrangement of the various books of which the Bible is composed.

The order is as follows :—First, the Pentateuch ; Secondly, the prophets in this Sequence, Joshua, Judges, I. and II. Samuel, I. and II. Kings.

These form the first Prophets.

Jeremiah, Ezekiel, Isaiah, and the twelve minor prophets form the later prophetic writings. The Hagiographa are arranged in the following order :—Ruth, Psalms, Job, Proverbs, Ecclesiastes, Song of Songs, Lamentations, Daniel, Esther, Ezra, Nehemiah, and Chronicles.

After this digression, various laws are laid down compelling every member of the community, except orphans, to contribute towards the support of the poor. The

Rabbis considered charity to deserving poor to be so obligatory a duty upon religious ground that they enforce it upon every Israelite.

Learned men who occupy themselves wholly with study and education should, according to the Talmud, be exempted from the payment of rates and taxes ; or from any other communal burdens. The object of this exemption evidently is to ensure such scholars full leisure and freedom from worldly anxieties to continue their studies, and thus to enable them to diffuse their learning to the benefit of the community at large.

Reference is also made in this chapter to the endeavours of the Patriarch Abraham to promulgate among men the knowledge of the true God, and this in accordance with the frequent practice of the Talmud is put into the form of a beautiful allegory.

Abraham (thus runs the parable) wore

suspended round his neck a precious stone of such potent virtue that every sick or infirm person who looked at him was immediately healed. When Abraham died, God placed this stone upon the sphere of the sun.

אבן טובה היתה תלוי בצוארו של א"א שכל חולה הרואה אותה מיד נתרפא ובשעה שנפטר א"א מן העולם תלאה הקב"ה בגלגל חמה

This allegory may, I think, be thus explained. The precious stone Abraham wore around his neck represents his earnest endeavour to manifest to the world the existence of the true and one God, in which his own conviction was the strongest feeling of his heart, and his life's solace and comfort. It was of him that the wise king might have said, "Wisdom and knowledge are an ornament of grace unto thy head, and chains about thy neck."¹

By his own great faith in God, Abraham

¹ Proverbs v., 9.

was enabled to strengthen all those whose belief in the true God was shaken and weakened. When the patriarch died the jewel was hung up on the sphere of the sun, meaning that his life did not pass away without leaving to posterity distinct and beneficial traces. His example did not vanish with his death, nor did it remain unproductive and fruitless. He first directed his own gaze above, and then taught others to do as he did. The eyes that were dimmed with the darkness of ignorance and superstition he guided upwards to rest on the Kingdom of Light and Wisdom.

The Talmud also finds occasion in this chapter to warn those who would improve others and exhort them to righteousness, to be careful in the first instance to lead religious lives themselves, free from all reproach, so that those whom they endeavour to guide

should have no opportunity of retorting,
 • “First remove the beam from thine own eye,
 and then look to the splinter in the eye of
 thy fellow man.” אומר לו טול קיסם מבין עיניך ,

אומר לו טול קורה מבין עיניך

The second chapter lays down laws and regulations to the effect that no injury or damage be done or caused to the property of a neighbour, for instance, no one is allowed to dig a well, pit or cave, nor hollow out a watercourse, pond or pool, nor plough, nor put any of the following things such as pitch, salt, lime, flints, and seeds near the wall of his neighbour, unless it be at a distance of three handbreadths from it, otherwise he would damage or depreciate the property of his fellow man. This shows how stringent were the laws of the Talmud with regard to the possessions of others.

The Rabbis enforced the duty of avoiding

even in one's own house any act which would destroy or cause the least damage to the property of his neighbour. There is only one exception to this rule, which is in erecting a school for children. To this no one had a right to object, and thus schools may be established in all parts without the right of interference on the part of any individual.

Education—the Rabbis held—is to be esteemed above all earthly pursuits, and therefore every facility should be given to those who are anxious to train and educate the young. Incidentally we meet some interesting passages respecting schools and schoolmasters, teachers and pupils, such as the qualification of the masters, the number of pupils allotted to each, and so forth. The subject of education according to the Talmud I have treated at length in my "School

System of the Talmud." The Rabbis also forcibly enjoined that every man should avoid in any way endangering or undermining the livelihood of his fellow creature.

In building a wall within his own ground a man should be careful not to erect it just opposite the windows of his neighbour's house, but should remove it to such a distance as would not obstruct the light from his neighbour's dwelling ; nor should he erect dove cotes or pigeon houses near the town, lest the birds should injure the plants, flowers and shrubs belonging to other people.

We here find an instance of the careful attention which the Talmud paid to Sanitary laws and regulations, for it specifies certain distances at which burial grounds, manufactories of any such things as would cause a nuisance, or receptacles for infectious

objects should be placed, thus anticipating the sanitary laws and regulations which have been only recently enforced among us.

The third chapter contains the following laws :—If a man has held a house or landed property for three years שני חוקה without protest from anyone, and a certain person comes forward as the owner at the end of the three years, and contests the right of the present occupier, requiring him to produce documents to prove that he obtained it of him by legal purchase, the possessor of the property, however, pleading that he bought it of the claimant but has in the meantime lost the documents : the Talmud decides that he is considered the lawful possessor, on the ground that a man need only take care to keep such document for a period of three years. דער תלת שנין אדם מזדהר בשטרו ותו לא

To guard, however, against any un-

principled person who might take advantage of the owner's absence in a distant country, by which he would be prevented from protesting personally against the occupier who wrongly holds the property, the Rabbis provide that he can wherever he is during the three years, make his protest before two witnesses that the property belongs to him, and not to the present occupier.

Such protest would be considered in every respect legal, for presumably it would come to the ears of the occupier, and he ought to regard it as a caution to retain the documents proving the legal transfer of the property.

The Talmud also enjoins that a man must not accept any goods or articles in charge from married women, servants and children, without the knowledge of the husband, employer, or father respectively. Various laws are laid down as to the management of a business by one of a family.

For instance, if anyone dies, and his widow or one of his sons manages the business, and afterwards certain documents come to light which bear the name of the manager of the business, it is stated how these documents should be dealt with. Many more laws are here detailed respecting business transfers.

The Rabbis likewise strictly enjoin us, on the ground of *דינא דמלכותא דינא* to abide by the laws of the government under whose sway we dwell for the time being, so that all rights of the holder of any property, or the number of years which would entitle the holder to act as the lawful possessor, should be in accordance with the civil law of the country.

The doctors of the Talmud are extremely anxious as to the care of anything belonging to a fellow man, and with regard to intrusion on his private concerns, giving the following

instances. If on any occasion a number of persons be assembled in a certain place, and any one of them when taking off his garments or putting down any other articles, should by mistake exchange them for those of another guest, he is forbidden to make use of the garments or articles, but should keep them under his care till the rightful owner claims them, when he is to return them to him and reclaim his own.

Furthermore, a man must not construct a window in the wall of his house facing the window in the wall of that of his neighbour, if that neighbour should object on account of being overlooked and of his movements being observed. In the course of this discussion it is mentioned in passing that if a man build a new house for his own occupation, or decorates an old one, he should leave some conspicuous part of the structure un-

embellished or unornamented in commemoration of the destruction of Jerusalem, an observance which, I fear, is but little attended to among us. The Talmud here also proves from a verse in the Bible that relatives should not give evidence for or against each other in a court of law, nor should witnesses be in any way interested in the case so as to derive any personal advantage, whether direct or indirect, through the evidence they give, because the purest and most conscientious motives should actuate a witness in giving evidence in any case.

The fourth chapter treats of the sale of house or landed property.

Here the Talmud dwells at length on the detail of such accessories as belong to the house or land, and would be sold with it, and such as do not properly belong to it, and would not be included in the sale.

The fifth chapter deals in a similar way with the sale of a ship, and indicates what articles essentially belong to the ship, and are therefore included in the sale, or what are not so included.

The same law also applies to the sale of asses, horses, or any other animals, and certain articles are specified which would, or would not be included in the sale of such animals.

With great force the Talmud speaks against the use of false weights and measures, considering such use to be one of the greatest sins that can be committed. Not only is one prohibited from using such weights or measures, but it is even sinful to keep them in the house. In order to prevent this the Talmud enjoins that every town should appoint inspectors for the special purpose of periodically examining the weights and measures.

It will be interesting to know that in this chapter the Talmud mentions the names of the mothers of Abraham, David, and Samson, &c., which, it is asserted, were known by tradition, not being mentioned in the Bible. These names are אימא דאברהם אמחלאי בת כר נבו. אימא דדוד נצבת בת עראל. אימא דשמסון צלפונית : Amath-lai, the mother of Abraham ; Nezebeth, mother of David ; and Zellpunith, mother of Samson.

The sixth chapter treats of the sale of fruit or seeds, used either for sowing or for food. If the buyer has sown such, and they did not germinate ; whether the seller is responsible for the same, or whether he is not. Also if wines are sold, and are found sour after the buyer had transferred them to his own vessels ; whether the seller is responsible, or can plead that the cause of their becoming sour was the fault of the

vessels. Various laws are laid down in this chapter for the construction of sepulchres or vaults, in the course of which full particulars are given as to the thickness of the walls between the graves, and the size of each grave, and the number of graves that can or should be made in one vault or sepulchre. Anyone contracting to construct such graves or vaults for another person is bound to be guided by these laws.

The seventh chapter treats of the sale and purchase of plots of land. If after the purchase the buyer found out that some part of that land was not fit for sowing, laws are enacted for the settlement of the disputes that might arise. Regulations are likewise laid down with reference to the measurement of land, and the kind which is, or is not to be included in the ordinary term "land."

The eighth chapter deals with the laws

of inheritance and bequests, and points out who is to take precedence in the distribution of property left by parents or other near relatives. Also in cases of gifts bestowed when a person is on a sick bed, there are certain laws determining how and when these gifts are binding upon the donor. If for instance, he expressed a wish to give away all his property, and afterwards recovered from his illness, he has a right to cancel his intended gift on the plea that he only meant his property to be distributed in the event of his death; and the Talmud accepts this reasoning, because no man would give away all his possessions and leave himself dependent on charity. But if he retains some part of his property for himself he cannot cancel his intended bequest, because by this reservation it seems certain that he did not propose the distribution in the expectation

of death, or he would have expressed a wish to bequeath the whole of his property.

Suppose that a property left by parents has been divided between several sons. After some time a person makes his appearance declaring himself to be also a son of the deceased parents, and claiming therefore an equal part of the said property. One of the brothers acknowledges his identity while the others deny it *in toto*. The Talmud decides against the claimant as regards his equal portion of the whole property, but the brother who recognizes him should give a portion of his own share to the claimant. Should the claimant die and leave some property besides that which he received from his brother, that brother recovers the portion which he gave him, and the other property is equally divided between all the brothers, because as the deceased ac-

knowledged himself to be their brother,
 this acknowledgment is as binding on him
 as if a hundred witnesses had given evidence
 to prove it. הודאת בעל דין כמאה עדים דמו :

The Talmud strictly prohibits the father
 disinheriting any one of his sons, even on
 the plea that he is leading an irreligious life,
 לא תהוי בי עבורי אחסנתא ואפילו מברא בישא לברא טבא
 for the just reason, although this son is not
 religious, he may have children who would
 be so, and walk in the path of virtue, and
 they should therefore not be deprived of
 the inheritance on account of the guilt of
 their father. דדילמא נפקא מיני זרעא מעליא The
 Rabbis here also wisely enjoin that every
 man should work at some manual occupation,
 even such as he has never been used to, if
 necessary for the purpose of getting a live-
 lihood, so that he might be independent of
 others and not need charity. Nay, he should

even flay a dead animal in the open street, in order to gain a livelihood, rather than accept alms, and he should not say, "I am a great man, and such occupation is degrading to me." לעולם ישביר אדם עצמו לעבודה שורה לו, גטוש נבילתא בשוקא ושקול אגרא ולא תאמר גברא רבא אנא : וזילא בי מילתא : What an excellent lesson is conveyed to us by these words, for we must all agree that honest labour, be it ever so menial, so far from being degrading to man, is even honourable.

The ninth chapter is almost a continuation of the eighth, setting forth various laws in detail, in reference to anyone that died and left sons, daughters, and a widow, some of the children being of age, and some not. These laws direct how the property should be dealt with in case any of the grown up sons, or the widow, should have improved it. The following law is also enacted. If

a father had set aside a certain sum to be paid weekly for the maintenance of his younger children, and it is found after his death that they require more than the sum fixed, the Beth Din have the power to increase the allowance, on the ground that the father's intention was merely to teach the children to be economical, but that he had not meant to deprive them of what is absolutely necessary for their maintenance.

The tenth and last chapter treats of the laws respecting various documents, such as those relating to sales, loans, gifts, divorces, and so forth. Stringent laws and regulations are laid down as to how these documents should be worded and written, and how and where the witnesses should subscribe their names, in order to prevent the least opportunity for forgery or fraud.

In this chapter are also enacted many laws

which refer to suretyship, and the Talmud here decides that the creditor has no claim against the surety unless he had already done everything in his power to recover payment from the debtor, and only when he has failed in obtaining it, has he a right to come upon the surety. The Talmud, however, makes an exception to this rule, which depends upon the terms on which a man takes the responsibility of becoming security for another.

I need scarcely say that I have by no means given you an exhaustive sketch of the contents of this extensive treatise. It would indeed take volumes to do so. Suffice it to say, that I have at least endeavoured to show you in a small degree, how sound and excellent are the laws of the Talmud in reference to jurisprudence, equity, and so on, and I am sure that any student of law

would find himself greatly assisted in his profession by studying the treatise Baba Bathra; as Rabbi Ishmael says in this chapter, הרוצה שיחכים יעסוק בדיני ממנות: "He who wishes to become wise should occupy himself with the study of Talmudic jurisprudence."

It is now my task to draw your attention to the apathy and indifference evinced by our community towards the study of the Talmud and Hebrew literature in general. For this purpose I will refer to one of the many ingenious allegorical sayings and parables of Rabbi Bar Bar Chanah in the treatise we have just concluded. זימנא חדא הוא קאי אזלינן במדברא וחזינן הנהו אווזי דשמטי נדפייהו משמניהו וקא ננדי נחלי דמשחא מתותייהו אמינו להו. אית לן בנוייכו חלקא לעלמא דאתו? חדא דלי נדפא וחדא דלי אטמא בי אחאי לקמי' דר' אלעזר אמר לי עתידין ישראל: The following is the literal translation of this curious passage. "I was

once travelling in a desert," relates Rabbi Bar Bar Chanah. "I observed there a flock of geese, whose feathers had fallen off by reason of their fatness, and the fat was flowing from under them like a stream. I said unto them, will any of you have a portion in the other world? Upon which one of them lifted up its side, and another its wing, and when I told that to Rabbi Eleazar, he said to me, 'Israel will some day have to give an account of this.'" How obscure and mysterious seems at first sight this parable. But it is full of profound meaning, and may thus be explained. The goose, as regards its fatness is the symbol of stupidity and ignorance. The wing represents the loftiness of knowledge and wisdom, and may in this allegory signify the mind, possessing great capacities which are often neglected, and therefore sink

into sensuality, all the mental faculties thus ultimately being lost. Thus the Rabbi related that he had found upon his life's travels talented individuals, whose intellectual powers were, however, burdened with too many worldly occupations, and who were led away by the enjoyments of earthly life. Being greatly astonished at such neglect of the high duty of mental culture, our Rabbi examined this class of men as to whether they knew anything about another and better world ; the world of knowledge and learning, since he found them so sunk in material pursuits.

Thereupon one of them showed the sage his corpulent body, signifying that bodily pleasure alone was his happiness and bliss, both spiritual and intellectual life being unknown to him. Another, however, showed him his wing, and by this the Rabbi

discovered that they were yet capable of the intellectual enjoyments and pursuits of that other world after which he was enquiring. When he had told this to Rabbi Eleazar, the latter said, "For those who have mental powers and abilities which they wilfully neglect, and occupy themselves solely with earthly pursuits, for those will Israel one day have to give account before God."

Such my friends is the case among us. We often keep in subjection those high faculties, those noble germs of lofty aims, and allow them to be lost amidst our craving after the pursuits of the material world.

The future Anglo-Jewish history will have to record, that, while non-Jewish scholars have published Hebrew works of various kinds, and spread them abroad, while non-Jewish universities have promoted the knowledge of the Hebrew language and literature, with

us, alas ! with us, this branch of study is entirely neglected and set aside, so much so, that Hebrew has almost become strange and unknown to a great part of the rising generation of our community in this country. We teach our children arts and science, we instruct them in ancient and modern history, and in various languages, and endeavour to place them in a position to make their way in the world. But do they also study the sacred language and literature ? Do they know the history of our own nation ? Do they, I ask, understand the Bible and their daily prayers ? or do they, even at least, know how to read Hebrew correctly ? Why should we not teach our children our own national history and literature, as well as we have them instructed in other histories, languages, and sciences ?

Judaism does not prohibit study of the

arts and sciences. Yes, the Talmud distinctly teaches us to unite the study of the law with worldly employment. "All the study of the law unaccompanied by some other occupation or profession, will be of no effect, and will lead to sin."

We should, therefore, continually inculcate upon our children the words of the wise Preacher, ראשית חכמה יראת ד' "The first of all learning is the knowledge of religion." And yet there are some among us who even wish to expunge the Hebrew language from our prayer book, giving as a reason, that as this language is unintelligible to a great many worshippers the prayers they utter are entirely void of devotion and earnestness, and that they thus do not feel at all inspired by such prayers. Now this reminds me of the following interesting story related in the Talmudical treatise Aboda Zara.¹ שאלו פלוסופין

¹ Page 54.

את הזקנים ברומי אם אלקיכם אינו רצונו בעבדו מפני מה אינו מבטלה? אמרו להם אילו לדבר שאינו העולם צורך לו היו עובדין הרי הוא מבטלה הרי הן עובדין לחמה וללבנה ולכוכבים ולמזלות יאבד עולם מפני השוטים? אלא עולם כמנהגו נוהג ושוטים שקילקלו עתידין ליתן את הדין:

The Roman philosophers once put this question to our sages. "If your God is so much opposed to the worship of idols, why does he not destroy them?" To which they replied, "If such things only were worshipped of which the world had no need, He would destroy them, but since people worship the sun and the moon, the stars and the planets, shall He destroy the world on account of those simpletons? The world must go on its course, but those idolators will one day have to take the consequences of their folly." The same may be applied to this instance. Shall the Hebrew language be effaced from our liturgy because of those who are ignorant of it? Rather let them study the language,

at least so far as to be able to understand their prayers, and not by reason of their ignorance cause the holy language to be forgotten among us, a language which is the very bond of union between Jew and Jew all over the world, a language which has been one of the means of preserving Judaism to the present day.

Let me therefore entreat you, my friends, to lay to your hearts true love and reverence for the holy language, for the language of the Bible, for the language of our race from time immemorial.

Let me impress upon you the necessity of encouraging and promoting the study of our ancient and vast literature, and finally, let me reiterate the hope, that in future a better attendance and more interest will be noticeable in these classes for the study of the Talmud and Hebrew literature in general.

THE GREAT IMPORTANCE OF THE TALMUD.

משה קבל תורה מסיני ומסרה ליהושע ויהושע לזקנים וזקנים
לנביאים ונביאים מסרוה לאנשי כנסת הגדולה ' הם אמרו
שלשה דברים ' הוו מתונים בדין והעמידו תלמידים הרבה
ועשו סיג לתורה :

Moses received the law on Mount Sinai,
and delivered it to Joshua, and Joshua to
the elders, and the elders to the prophets,
and the prophets delivered it to the men of
the great Synod. They said three things :
“ 1. Be deliberate in judgment. 2. Train up
many disciples. 3. Make a fence for the
law.”¹

We often notice that men who have but
superficial knowledge of the Talmud, nay,
even such as are utterly ignorant of it, are
its opponents, and presume to express their

¹ 1st Section of the Ethics of the Fathers.

opinions against it. We often see them prejudiced against the writings of the Rabbis, on account of the subtilty of their teachings, and the form in which they are expressed. But if those men studied the Talmud diligently and thoroughly; if they endeavoured to properly understand that great ocean of learning, they would soon readily admit their previous ignorance, and would then discover that this ancient work with its profound wisdom, its excellent principles, and its sound moral teachings, can stand its ground even in this our so called enlightened and advanced century. Let us, for instance, take the Ethics of the Fathers, פרקי אבות which we read during the summer months every Sabbath at the afternoon service.

תפלת מנחה

These sayings of the authors of the Talmud are so sagacious, so full of wisdom, and

contain such wholesome and beneficial lessons, that it would indeed be well for us if we made a study of them, so that we might be enabled better to regard and appreciate them. I have therefore selected the passage I have quoted above from the first section of the Ethics, as the subject for our consideration. The first of the three sayings of the men of the great Synod runs, "Be deliberate in judgment." היו מתונים בדין These words have a broad and deep significance. Not only is the judge, when pronouncing sentence, here enjoined to be most cautious in arriving at his decision, but these words have also reference to social life in general. We are here reminded not to be hasty in prejudging our fellow man, nor when we see him performing an action which may appear to us a bad one, are we justified in straightway condemning him. We may allow ourselves

to pass judgment on our fellow man, only after we have previously observed his conduct in various conditions. As long as this has not been the case, we should not only refrain from condemning him for an apparently ill action, but should rather seek to extenuate his offence ; for possibly he may have been forced by certain circumstances to act as he did, and perhaps we too, if in his situation would have acted in the same way. אל תדין

את חברך עד שתגיע למקומו

“Do not judge thy fellow man till thou art in his position.”¹ Whoever is inclined to give his opinion upon any action should not only look at its accomplishment, but also at its cause and beginning. He should trace it backward to its source, and forward to its termination. Yes, he should consider the nature and state of the conditions and

¹ 2nd Section of the Ethics of the Fathers.

circumstances by which his fellow man was surrounded.

It is, moreover, not only necessary that we should refrain from a shallow judgment of others, but we must also be very careful not to give through our own deeds or words, an occasion to others to form an ill opinion of us.

שאדם צריך לצאת ידי השמים בדרך שצריך לצאת ידי הבריות “Just as a man is bound to perform his religious duties conscientiously and earnestly, without any selfish motives or false thoughts, even so should he act in all matters concerning his fellow man.”¹ Whatever he does, whatever he utters, he should consider it as if done before God, and as if spoken before Him.

The second saying of the men of the great Synod, is, “Train up many disciples.”

¹ Mishna Shekalim.

והעמידו תלמידים הרבה Whilst the first saying, "Be deliberate in judgment," comprehends a precept respecting the high duties of a judge, and also social life in general, this second saying, "Train up many disciples," has special reference to the study of God's law, not only the written law תורה שבכתב or Scriptures, but also the oral law תורה שבעל פה

We must be careful not to share in the errors of those who imagine that the oral law is not of Divine origin, but emanates from the Rabbis themselves. If such false teachers strive to mislead us, we must beware of taking heed of them, and of walking in their way.

The great Maimonides writes thus in the preface of his celebrated work יד החזקה respecting the oral law. כל המצות שניתנו למשה בסיוני בפירושן ניתנו שנאמר ואתנה לך את לחות האבן והתורה והמצוה ' תורה זו תורה שבכתב והמצוה זו

פירושה וצונו לעשות התורה על פי המצוה ומצוה זו היא הנקראת תורה שבעל פה • כל התורה כתבה משה רבינו בכתב ידו ונתן ספר לכל שבט ושבט והמצוה שהיא פירוש התורה לא כתבה אלא צוה בה לזקנים ' וליהושע ולשאר כל ישראל וגו'.....וכן היה הדבר תמיד עד רבינו הקדוש והוא קיבץ כל השמועות וכל הדינים וכל הביאורים והפירושים וכו' וחיבור מהכל ספר המשנה וכו' כדי שלא תשכח תורה

All the precepts which were given unto Moses on Mount Sinai were given with the interpretation thereof, as it is said, "And I have given unto thee the tablets of stone, and the law, and the command, התורה means the written law, and המצוה refers to the oral law. Moses only wrote down the Pentateuch, and gave a copy thereof to each tribe, but the oral law he taught by mouth to Joshua, to the elders, and to all Israel, because it was not permissible to write it down. However, after some centuries when it was feared that in consequence of the great troubles and dis-

persion of Israel, the oral law might entirely be forgotten, it was, by the consent of all the great men in Israel, written down by Rabbi Judah, the prince, the compiler of the Mishna."

This statement of Maimonides is in accordance with the words which we quoted above. Moses delivered the law to Joshua, and Joshua to the elders, and so on. Reference cannot be here intended to the Pentateuch, because since it had been written down everyone had free access to it. Hence the law transmitted was assuredly nothing else than the oral law. The words of the Torah as they were uttered by the Great God are too profound, nay, often too enigmatic to be understood and explained by our own feeble and limited faculties, and if we were to take them literally, we would soon fall into innumerable blunders and errors. The

Divine Lawgiver therefore delivered unto Moses an explanation of the Torah, which we call oral law, or Talmud. Our ancient teachers point to a verse in the Pentateuch which clearly proves that Moses must have received the oral law from God Himself. The verse is as follows : וזבחת מבקר ומצאן..... כאשר צויתך “And thou shalt kill of thy herd and of thy flock in the manner I have commanded thee.”¹ Since we do not find in all the five books of Moses any laws in respect to שהיטה ובריקה the words “in the manner I have commanded thee,” must surely presuppose an oral explanation or tradition to which this verse refers.²

To complete as it were the second aphorism, “Train up many disciples,” the third saying is added. ועשו סניג לתורה “Make a fence for the Law.” By the fence is meant the oral

¹ Deuteronomy xij.

² Vide Talmud, Chullin, 28.

law. Only by its interpretation are we enabled to understand and to practise the written law: without a traditional law we could know but few religious principles sufficiently well to act upon them properly.

For instance, there are thirty-nine principal works or occupations *מלאכות אבות* enumerated in the Mishna,¹ prohibited on the Sabbath day. Are these works or occupations anywhere fully expressed in the Pentateuch? *לא תעשה כל מלאכה* “Ye shall do no manner of work on the Sabbath” is frequently enforced and emphatically inculcated, but its special application, and the specific enactments as to what constitutes a violation of the Sabbath are nowhere fully elaborated in the Pentateuch. One alone is especially mentioned. *לא תבשור אש בכל משבתיכם ביום השבת* “Ye shall not kindle fire throughout your

¹ Treatise Sabbath.

habitations on the Sabbath day," but all other works or occupations are specified in the oral law.

The written law does not distinctly tell us how the "Tefillin" or phylacteries are to be made, how many portions they should contain, and how they are to be written, and how and where they are to be put on. This is only explained to us by the oral law. Again, how could we know that by the words פרי עץ הדר "the fruit of a goodly tree," which we are commanded to take on the festival of Tabernacles, is meant the אתרוג (Esrog), had it not been pointed out in the oral law, or Talmud? This argument may also be applied to the precepts of ציצית and מוזה and a host of other laws, but I will mention only one more instance, namely, the well known law of justice, "Eye for eye, and tooth for tooth."¹ עין בעין שן בשן If this

¹ Exodus xxi,

were literally exacted, it might easily result in the loss of a life for the loss of an eye or tooth. The oral law, however, explains the meaning to be that suitable pecuniary compensation should be made for the loss of the eye or tooth.

We thus clearly see that every word, nay, even every letter of the written law requires proper explanation and interpretation, and all this is given us by the oral law, "The Talmud." Otherwise the meaning of Holy Writ would be quite misunderstood and misapprehended.

I have endeavoured to show briefly, but clearly, the vast importance of the Talmud, its divine origin and its character, as exegetical of the written law, the Bible, and supplementary thereto. If we will study the Bible with its traditional interpretation the Talmud, carefully and assiduously, we shall

discover in it a spirit which will excite our wonder. We shall obtain such a clear aspect of the world as will command admiration. We shall detect in it a moral sense which is unsurpassed, a purity of manners which is inimitable, and a hope which nothing can dispel. Finally, we shall find in the Talmud a wonderful power, which has during many centuries inseparably joined together the confessors of God's unity, and supported them in the storms and tempests of life, in all climes, and throughout all ages. עין חיים
 היא למחזיקים בה ותומכי' מאושר "The law of God is a tree of life to them that lay hold upon it, and all who retain it shall be happy !"

THE BRIGHT AND DARK ASPECTS OF ISRAEL'S CHARACTER.

I.

כי אני ד' לא שניתי ואתם בני יעקב לא כליתם ' למימי
אבותיכם ' סרתם מחוקי ולא שמרתם ' שובו אלי ואשובה
אליכם אמר ד' צבאות :

“For I the Lord I have not changed, and ye sons of Jacob, ye are not consumed. From the days of your fathers did ye depart from my ordinances and did not keep them. Return unto me, and I will return unto you, saith the Lord of Hosts.”¹

When we recall to our minds the bitter servitude which our ancestors had to endure through many centuries in the land of Egypt, the following questions naturally suggest themselves. How could Israel have deserved so sore a trial? Why did God who is all merciful subject Israel to so heavy a yoke?

¹ Malachi iii., 6, 7.

It is true that God had already foretold to Abraham, " Know thou for a surety that thy children shall be strangers in a land not theirs, and they will afflict them four hundred years." Yet it is difficult to understand why the Almighty made that decree concerning Israel. As the law had not been given at that time, Israel could not possibly have been guilty of disregarding it. The hardships Israel underwent in Bābylon, and the dreadful persecutions he endured at the hands of the Roman and other nations, were fully merited in consequence of his disobedience to the law. But what cause can there be assigned for the Egyptian bondage which he suffered in the very infancy of his national existence ? May we not be led to discover in some degree the cause of God's wonderful dealings with Israel, by a careful examination of the national characteristics which we can ascertain

from past history and from present experience. Basing then, our examination upon positive facts, let us impartially consider the bright and dark aspects of Israel's character, and we shall see that many of his excellent qualities find their cradle and nurse in the Egyptian bondage. In the early history of our ancestors, as recorded in Holy Writ, we find that they were possessed of land and herds, but they lived as a peaceful race, although they were surrounded by the warlike nations of Canaan, and dwelt near the powerful realm of Egypt. Jacob's preference for Joseph leads his brethren to sell the favorite son into Egypt, but even this is a step towards the fulfilment of God's purpose, and the feud between the brothers is destined to become the means of saving the family when their extinction was threatened by sore famine. Thus then are our fathers

settled, and at first happily in Egypt, whilst the faithfulness of Joseph raises him to the head of the Government, so that by his powerful influence Israel is preserved. But Egypt was also the means of developing Israel's qualities, and of these I will now speak. I begin with the quality of perseverance. That perseverance is a characteristic of Israel cannot be denied, and it is a quality in the absence of which solid success, whether national or individual, cannot be achieved. With what persevering effort was the Temple raised from its ruins, when face to face with a jealous foe, Israel had to build with the spade in one hand and the spear in the other. Can it be doubted that in furtherance of God's purpose, the bondage of Egypt was undergone as a national blessing.

This leads me to consider another quality, akin to the foregoing, but not absolutely

identical with it. I mean patient endurance under trial, with regard to those foreign rulers under whose sway Israel has dwelt. This universally admitted quality is in accordance with a passage in the Talmud, where it is stated, הקב"ה השביע את ישראל שלא ימרדו באומות העולם "The Holy one, blessed be He, has adjured Israel never to rebel against the legal rulers of any land or clime throughout their captivity."¹ And this quality also was tested, developed and strengthened by the Egyptian bondage.

I now come to a still more important phase of the national character. What is the foundation of man's welfare? In what does the success and happiness of every individual, as well as of every community consist? It is admitted by all to be a happy family life where husband and wife, parents and

¹ Treatise Cthuboth, 111,

children, brothers and sisters are attached to one another by an inseparable bond of harmony and union. But among what people can we find the ideal of perfect domestic life so nearly attained as among the Jews? Where shall we find more devoted husbands, more faithful wives, more constant mutual help and affection between parents and children than we find in Israel?

Now, in Egypt, our fathers were in a refined but idolatrous country. The Egyptians worshipped the sun, and the forces of nature typified by the bull, the calf, and almost all forces of animal life. But every shepherd was an abomination unto the Egyptians, partly because their sacred beasts were sacrificed for food, partly because the Hyksos or shepherd kings had once conquered Egypt. Therefore the Egyptians viewed with disfavour the doings of the Israelites,

and the latter contrived that they should live apart in their own quarters in the land of Goshen. And this was without doubt in the end the very best thing for Israel. Had our fathers been settled in the earliest days among the Canaanites, they might have fallen into their ways, and been brought back only after long and severe trials. Or, had it been that with increasing numbers the aversion of the Egyptians for Israel had been diminished instead of increased, our fathers might have lapsed into the worship of the Egyptians, or imitated their evil ways. But the very hatred which the Egyptians showed towards Israel made him seek for his happiness among his own people; and here as in other cases, served to unite all the members of the nation as one vast family, a family in a foreign country, among a foreign people, among persecuting foes,

but welded together by a common sympathy the bond of a common race, and the worship of the only one true God.

Can it be doubted that God purposed kindness and love to Israel, even in the Egyptian bondage : not as a punishment for the violation of an as yet undelivered law, but to cultivate, strengthen and develop Israel's character, to foster the qualities of perseverance and patience, to cement family and national union, and also to show by bringing Israel out of Egypt, not by human means, not by war, but with a mighty hand and an outstretched arm, that His ways are not men's ways, and that He can bring to pass the events He ordains without man's help and assistance.

Connected with this quality of family union and affections is the practice of benevolence, charity, and liberality towards

the poor and needy, a virtue which arises out of the former, when we consider the members of all nations as children of one great Father.

Charity, one of the noblest characteristics of an individual, becomes still worthier when it is universal throughout a nation. That our divine law inculcates the principles of charity and benevolence regardless of the creed or nationality of the object of our compassion in all the daily acts of life, must be evident to all who study the word of God. Over and over again kindness is enjoined to be shewn to strangers. "For remember that ye were strangers in the land of Egypt." Kindness to the poor, "who should never cease out of the land." Kindness in leaving to the poor the gleanings of the harvest. Kindness in the restoration of family estates in the year of jubilee.

Kindness in the release of servants, and kindness towards the dumb animals. The word of the Talmud, that Israel is distinguished by the qualities of benevolence and kindness are daily verified,¹ ישראל המה רחמנים בני רחמנים for it is exercised by Israel, not only towards his own brethren in faith, but to all the needy of other creeds, a fact which has at all times been admitted by those who have made themselves acquainted with the truth. I have already mentioned one aspect of the quality of family union, viz., the harmony and affection of which it is the sign. But there are effects which flow from this union itself. In order that the mind, the higher part of man's nature, may be preserved in all its soundness, so as to raise it to the heights of perfection and purity, it is necessary that the frame, the

¹ Treatise Je-barruth, 79.

body of man, should be kept healthy, pure, and free from all low and base passions. Moderation and abstemiousness in all manner of enjoyments are indeed the only means by which men's wild and strong desires for worldly pursuits can be curbed. And where can we find these virtues so widely spread as in Israel, a people, which by its religious ordinances, is directed to moderation and abstinence? A Jew celebrates not his days of rest and festivals in public resorts, at well spread boards, his cup filled with intoxicating drink, but in the beloved circle of his family, where hymns of praise and thanksgiving ascend to God, showing thereby that man can be moderate even in his feasts, and abstemious even without a temperance society.

Another characteristic of Israel is the abhorrence of all heinous crimes, especially

that of murder. Depredation and murder are thus of the rarest occurrence among them, a fact to which the criminal records of all Europe bear testimony. And indeed, benevolence and charity are the roots of the matter. For he who practises charity towards all men, will not be guilty of any injustice. Covetousness, envy, jealousy, hatred and stealing which often lead to murder; these crimes will disappear in proportion as the counteracting virtues are cultivated.

Finally the quality of sacrificing wealth, and even life for their belief in the unity of God, this must be set forth as one of the principal characteristics of Israel. It is an historical fact that although Israel, in the earlier periods of history from time to time forsook the Law, and took part in and adopted the iniquitous practices of idolatrous nations, yet

after the Babylonian captivity, Israel has been pre-eminent for his firm attachment to the doctrine and worship of the only one God, as set forth in the law. Since that time Israel has never relapsed into idolatry ; for God's chastisement, unlike man's chastisement which is merely vindictive, was a school, as it were of remedial discipline, and a training as of old in Egypt for the formation of Israel's personal and national character. Nay more, then it is that we see Israel's most glorious martyrs arise. Daniel preferring the den of lions to diminishing aught of his stated daily prayers to the only one God. Hananiah, Mishael, and Azariah preferring the fiery furnace to the worship of Nebuchadnezzar's golden image. Nehemiah and Ezra pure in an idolatrous court, Esther and Mordecai God-fearing among the Persian nobles and

surrounding enemies. The struggles and martyrdom of the noble and heroic family of the Maccabees, with the persistent refusal to exchange religion for wealth and honour; find their counterpart in the son of Israel to this day. Thus then we see the words we have above quoted confirmed and realized.

כי אני ד' לא שנית "For I, the Lord, have not changed." Yes, alike in Egyptian bondage and in Egyptian deliverance, in the miracles of manna, and the water of the rock during the wanderings in the wilderness, in the giving of the law on Sinai, and in the conquest of Canaan, in prosperity and adversity, in blessing and in chastisement, in all these events one great plan, one unchangeable purpose of love towards Israel has been shown.

I will now proceed to speak of the dark side of Israel's characteristics.

We have already noted that as regards the outward rulers Israel has at all times been a peaceful and law-abiding race, but alas! matters are quite different within, whether in spiritual or secular affairs. In this case we may justly apply the well known maxim of the Midrash, *אוי לדור ששפטו את שופטיהם* "Woe to the generation where those who are to be judged criticise their judges."

There are those far-sighted people who see everything at a vast distance, and whose vision has a wide compass, but they entirely forget their own faults and shortcomings, which are under their very eyes. "Did not

Israel lose both temple and nationality because the young behaved themselves proudly against the old, and the base against the honourable?"¹ "And did they not mock the messengers of God, and despise His words, and misuse His prophets, until the wrath of God rose against the people, and there was no remedy."² Already in Egypt has this stain been manifested in the character of Israel. "מי שמך לאיש שר ושופט עלינו" "Who made thee a personage, an officer, or a judge over us?"³ was retorted upon Moses by his own brethren in faith. They refused to acknowledge his authority, notwithstanding his high station, and despite the fact that he had been brought up in the court of Pharaoh : on which the Midrash remarks, היה משה מהרהר בלבו ואומר מה חטאו ישראל שנשתעבדו מכל האומות' כיון ששמע דבריהם אמר לשון הרע יש ביניהם לכן אמר אכן נודע הדבר עתה ידעתי באיזה דבר הם משתעבדין

¹ Isaiah iii.² II. Chronicles xxxvi.³ Exod. ii. 14.

Moses was dissatisfied in his mind, and said, "What sin has Israel committed, to deserve to be put in such bondage more than any other race?" but when he heard these words he at once exclaimed, "Now I know why they are in servitude! It is because calumny prevails among them." And are there not many among us too, who defy their spiritual and secular leaders? Are there not many among ourselves who defy authority, who reject the teachings of the oral law, and show no regard even for the most sacred obligations of Judaism?

The dark side of Israel's characteristics cannot better or more faithfully be pictured than by the emphatic words of the greatest prophet and teacher, Moses, uttered by him at the very close of his glorious career. וישמע ישראל ויבעט ויטש אלקי עשהו "When Israel waxed fat, then he kicked, and he forsook

the God who made him.”¹ Thus even now, no sooner does Israel enjoy civil rights and religious liberty, than he evinces apathy and indifference towards the most sacred laws and observances of religion.

But there is yet a greater national fault that may be charged against Israel, one that results from the foregoing characteristic, viz., disunion among themselves. We read in the Midrash the following allegory : בֵּין שְׁנֵבְרָא הַבְּרוֹזִל הִתְחִילוּ הָאֵילָנוֹת מִרְתָּתִים אָמַר לָהֶם הַבְּרוֹזִל מָה לָּכֶם מִרְתָּתִים עֵץ מִכֶּם אֵל יִכְנֹס בִּי וְאֵין אַחֵר מִכֶּם נִיזָק : When iron was created all the trees of the forest began to tremble, exclaiming in their terror, “Now we shall all be lost, for out of the iron axes will be made, wherewith to cut us down !” But the iron itself consoled the trees, and said, “You have nothing to fear, so long as none of you will allow himself

¹ Deuteronomy xxxii. 15.

to be used as a tool to afford a handle to the axes."¹ The moral of this fable is obvious, and has often been realized and verified in Israel. As long as Israel was firmly united by the ties of brotherhood and friendship, as long as harmony and concord prevailed in his midst, no outside foe had the power to subjugate and oppress him. But when discord, calumny, and slander crept in among his members, then commenced his misfortunes from without. It was discord and mutual animosity which brought about the destruction of the second temple, and the bitter persecutions which followed.

לא הרב בית שני אלא מפני שנאת חנם שהיתה בהם

It was disunion from within, hatred without cause, through which many a Jewish community was driven into exile during the middle ages. It was calumny from within

¹ Midrash, Rabba 5.

which caused the most valuable productions of the great thinkers and masters of Israel to be despised during those dark ages, ay, and caused almost the entire Hebrew literature to be condemned to destruction, and unfortunately animosity without cause, disputes, discords, and petty squabbles still are often to be found in our midst. But ungodly disputes would find no room among us, if we had proper regard for our holy religion. Such impious quarrels would find no place in our midst if we did not evince so much apathy and indifference towards the welfare of Judaism.

The happiness and strength of families, of communities, and of countries, can only be secured and maintained by peace, concord and harmony, and all and everything depends upon union. אם אין שלום אין כלום "Where there is no peace, everything else is of no

avail." Concord is the foundation of all virtues, its obligation is stringent, and its importance is supreme. Yes, to ensure peace, harmony and concord, the voice of clamour and contention, the utterance of calumny and slander should be silenced in our midst. The cause of union and concord should be to us the dearest and most sacred object of our life. "I the Lord have not changed, and ye sons of Jacob are not consumed." No, not changed. For whether in the dark night of Egyptian slavery, and the Babylonian captivity, or in the present dispersion, has there not been in all that one great and good purpose? Are not His judgments mercies? Are not His chastenings for instruction? Even before the law had been given our ancestors were led into Egyptian bondage, but the sons of Jacob were not consumed. Nay, their very enemies

fostered their growth. Their very trials preserved them. God inures Israel to the furnace of affliction in order to purge them even as in the fire, and by the withering flames gold is purged from its dross and comes out purer.

God has not changed, though we have departed from his commandments. Our whole national history proves the unchangeableness on the one side, and the departure on the other. If He had changed, then had we been consumed, but sons of Jacob as we are, we are not consumed although more than two thousand years of sufferings have passed since these prophetic words were uttered, and as our existence to-day is a proof of it, so our mingled qualities of good and evil alike testify to its truth.

By the moulding and merciful guidance of God we have been led to show to all nations

those excellent qualities of which I spoke, viz., perseverance, endurance under trial, faithfulness to civil authority, matrimonial fidelity, benevolence and kindness, and our firm belief in the unity of God. But our evil qualities indirectly serve to show that we are still in the process of purification, so that we may be purged of them.

Hence the concluding words of the prophet, "Return unto me and I will return unto you, saith the Lord of Hosts." For if we return to God, then indeed do we learn the grand lesson taught by all trial and suffering, and we who are fickle and changeable, shall truly serve Him who changes not. We should therefore strictly adhere to God's law, to His ordinances and precepts, we should faithfully fulfil all the duties devolving on us, as Jews and as citizens. Our conduct should be such as always to deserve the esteem and

good-will of our neighbours, and finally, we should guard ourselves against the use of all unkind words, and uncharitable reflections, upon the character of others.

END.

THE CENTENARY OF
SIR MOSES MONTEFIORE, BART.

A S E R M O N

DELIVERED AT THE NEW SYNAGOGUE
GREAT ST. HELEN'S,

ON THE OCCASION OF SIR MOSES MONTEFIORE COMPLETING
HIS HUNDREDTH YEAR,

SUNDAY THE EVE OF THE 8TH OF HESHVAN, (26TH OCT.) 5645.

BY THE
REV. B. SPIERS.
DAYAN.

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A S E R M O N .

משה זכה וזכה את הרבים זכות תלוי בו
שנאמר צדקת ה' עשה ומשפטיו עם ישראל :

“Moses was meritorious himself, and he caused the multitude to be meritorious, therefore the merit of the multitude was attributed to him, as it is said,¹ ‘He did the righteousness of God and his justice to Israel.’”—Ethics of the Fathers, v. 21.

MY DEAR BRETHREN,—From the dawn of history to the most recent times it has been customary among all nations to erect monuments in memory of great men, kings, heroes, and warriors, upon which are recorded their triumphs and successes. Kings and heroes do indeed require monuments in order to make their deeds known to posterity ;

¹ Deut. xxxiii. 21.

for their most successful enterprises and their most brilliant achievements, and the greatest empires they formed are evanescent, and if not thus recorded for the information of posterity would inevitably pass into oblivion. All the vast cities they founded, all the magnificent palaces they erected, though existing for many centuries, will nevertheless sooner or later fall into ruins and crumble into dust. The place where powerful kings had once ruled mighty nations with an iron rod, is now either furrowed by the ploughshare or used for pasture by the shepherd. Now and then a diligent archæologist comes forward and excavates the ancient ruins, and finds a tablet of stone or monument of brass, the hardly legible inscription upon which he laboriously

deciphers, and is thus enabled to give the intelligence to the world that on such and such a spot a mighty ruler once swayed the sceptre of an extended empire. The historian too is thus enabled to fill up a blank in the pages of history, with the newly discovered name of a hitherto unknown king or hero.

These discoveries are interesting to but a certain class of people. The people at large evince little or no interest in such matters, and for the reason that they neither derive therefrom material advantage nor do they find them conducive to their moral progress.

Such, my brethren, is the case with all great men, who achieve but temporal works or conquests. But far different is it with our great prophet and teacher Moses. The

empire which he founded, the righteousness of God, the justice with Israel which he did, all these are imperishable and will remain so throughout all generations. The treasures which Moses handed down to the world will never cease to exist, and he therefore, required no monument in order that his name and his deeds may be preserved in the recollection of all ages. The Torah which Moses brought us down from God is witness of his greatness. The truth, which he imparted at first to but a small people, is now acknowledged by the whole civilised world. Yes ! our great prophet and teacher, Moses, "was meritorious himself, and he caused the multitude to be meritorious, therefore the merit of the multitude is attributed to him."

And now, my brethren, may we not justly apply these words to our venerable brother, Sir Moses Montefiore, in whose honour we are assembled here to-day,—that we may commemorate the centenary of his birth by thanksgivings to Almighty God for having thus far prolonged his days, and by imploring His gracious protection for the future. Our venerable centenarian, the champion of Israel and Judaism, throughout his long and noble career, has been “meritorious himself,” and through his glorious acts has made others meritorious also. His life has been, and is still, one of unceasing devotion to one high ideal—that of benefiting his fellow-creatures.

He has at all times endeavoured to do “the righteousness of God, and his justice

with Israel," for he has assiduously striven to bring about great and beneficial changes in the condition of our brethren in those countries where justice was denied them. His benevolent and pious acts have been of immeasurable benefit to Israel ; and his noble qualities have changed the name Jew from a term of scorn and reproach, into one of respect and esteem amongst civilised nations.

True, he did not, like our great prophet Moses, bring down to us the law from God, but he has ever striven to uphold its teachings and to maintain its dignity. True, by reason of the many onerous claims upon him, he could not devote himself to the study of the Torah, but he has established a college in which the Torah is meditated upon day and

night ; and it is said:—עץ חיים היא למחזיקים בה “The law is a tree of life to them who support those who are occupied with its study, and those who retain the law are happy.”¹

Our venerable centenarian is a strictly orthodox Jew, but in the exercise of his philanthropy he has never made any distinction between creed and creed, between nationality and nationality. His name is therefore mentioned with high regard and profound respect, wherever a ray of civilization has penetrated, and our Rabbis thus assert כל שרוח הבריות נוחה “With whomsoever mankind is pleased and gratified, Almighty God is also pleased and gratified.”²

¹ Proverbs iii.

² Ethics iii.

My brethren, there is no necessity for me to dwell at length upon the merits of our noble philanthropist, whose name is a household word throughout the civilized world. It is well known to you all how many times he has endured much discomfort and even endangered his health by long and repeated journeys to different countries in order to alleviate the sufferings, not only of our own brethren, but of humanity at large. **ויגרל משה** ¹ **ויצא אל אחיו וירא בכבלתם** Although our great prophet Moses was great and brought up by the daughter of king Pharaoh, he yet went out to his brethren to share their burden and to sympathise with their degraded condition. So our centenarian too, although high and eminent and near to kings and princes, has yet never

¹ Exodus ii. 11.

forgotten his distressed brethren, and his great heart was and is happily still ready to beat in sympathy with the oppressed, and he is still as ready in spirit as ever to take action for their benefit; for his heart and mind are still young. Such noble deeds speak for themselves, and they require no panegyrist to descant on them, and are in themselves an everlasting monument.

The Talmud, relates the following:—

שאלו תלמידיו את רבי נחוניא בן הקנה במה הארכת
ימים אמר להם מימי לא נתכבדתי בקלון חברי ולא
עלתה על מטתי קללת חברי ותרן הייתי בממוני :

“Rabbi Nehuniah, the son of Hakanah, was asked by his disciples as to the means by which his life had been prolonged. He answered,—‘I never sought to gain honor

¹ The Talmud (T. Megilla 28.)

by the degradation of my fellow-men. I never could rest when trouble threatened my brethren. I gladly and liberally bestowed my substance on the needy.'” My brethren, Sir Moses Montefiore has acted in the same way throughout his long career ; he too has ever avoided gaining honor at the expense of his fellowmen ; he too could not rest when his brethren were in trouble, and he too has given gladly and liberally to the poor and needy of all denominations. Nay, more, he has invariably encouraged authors of all kinds of Hebrew and secular literature, of which encouragement his own magnificent library and that at the Jewish Theological College are witness.

But what should most excite our admiration

and esteem for the venerable philanthropist is the unbounded love and reverence he feels towards the Holy Land.

Some years back a movement was set on foot to raise a testimonial by which our esteem and affection for him might be suitably manifested. He was asked what shape it should take: his reply was like that of our patriarch, Abraham, in this week's Sedrah, בלערי "Nought for me."¹ He simply desired that a fund should be raised by which the sad and poverty-stricken condition of our brethren in the Holy Land might be permanently improved. הנה כי כן יברך גבר ירא ה' says the Psalmist, "Behold that thus shall be blessed the man that feareth the Lord."²

¹ Genesis xiv. 24

² Psalm cxxviii.

The numerical value of כ"י כן amounts to one hundred ; we may thus fitly apply this verse to our god-fearing philanthropist, who has been blessed with the advanced age of one hundred years. And let us further say with the Psalmist,
 יִבְרַךְ ה' מִצִּיּוֹן וְרָאָה בְטוֹב יְרוּשָׁלַיִם כָּל יְמֵי חַיָּיָךְ
 "The Lord shall further bless thee out of Zion, and thou shalt see the good of Jerusalem all the days of thy life."¹ Let us then, my dear brethren, endeavour to the utmost power to imitate the excellent, pious, and benevolent example of our noble centenarian ; let us like him strive to uphold the honor and dignity of Judaism, and let us by deeds of righteousness and goodness cause the name of Jew to be honored and respected wherever it be the lot of our brethren to dwell.

¹ Psalm cxxviii.

May our Heavenly Father yet prolong the days of our noble philanthropist, and may his eyes behold the restoration of Zion and Jerusalem. Amen.

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